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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,818	04/03/2002	Lothar Bruckner	487.1043	9987

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EXAMINER

MELWANI, DINESH

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Office Action Summary

Application No.

10/019,818

Applicant(s)

BRUCKNER, LOTHAR

Examiner

Dinesh N Melwani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 is/are rejected.
- 7) ☒ Claim(s) 14-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office Action is intended to supplement the Office Action issued on 4/11/03 (Paper No. 7).

Acknowledgement is made of applicant's submission of:

Preliminary Amendment A filed on 4/3/02

The aforementioned item has been noted and officially inserted into the application.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 12/27/01 is being considered by the examiner.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 17a and 17b. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "11" has been used to designate both the tangent plane and the boundary plane, see pg 11, lines 29 and 31. A proposed drawing correction or corrected drawings are

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required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagenlocher *et al.* (U.S. Patent No. 6,052,870). Hagenlocher shows a supporting arm (4) articulated to a door and a door pillar and a control rod (9) articulated to the door and door pillar. The supporting arm is articulated to the door and door pillar by two gudgeons (7). The control rod (9) is coupled to a bearing plate to which a corresponding gudgeon (7) of the supporting arm is also coupled (see Figure 1). Hagenlocher in Fig. 7, shows a hinge part (P in attached Fig. 7) attached to a hinge (10) at the remote end of the control arm (9) that is capable of being displaced relative to a corresponding hinge part (11) attached to a gudgeon (7) of the supporting arm (4). The hinge parts displaceable relative to each other (P, 11) are capable of being fastened by screws (labeled "B" in red in attached Figure 7) to the door via the door bracket (5). The hinge part (P) is displaceable by slots (labeled "S" in attached Figure 7) that are oriented in the direction of the control arm and an x-axis (see Figure 1). Hagenlocher does not show that the slots are on the hinge part (P), rather that they are on the control arm (9). However, it that the mere reversal of components in a prior art reference, where there is no disclosed significance to

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such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the door coupling of Hagenlocher with the slots on the hinge part (P) instead of the control arm (9) for the purpose of allowing the hinge part (P) to be adjusted relative to the control arm (9) and the corresponding hinge part (11).

Allowable Subject Matter

6. Claims 14-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: Claim 14 is allowable of the prior art of record because the teachings of the reference taken as a whole do not show or render obvious the combination set forth, including a door coupling having a supporting arm comprises a base supporting arm, at least one supporting arm part which can be detached from said base supporting arm and means for the mutual fastening of the base supporting arm and the supporting arm part, said fastening defining an axis about which the supporting arm part rotates with respect to the base supporting arm. The pivot axis being substantially perpendicular to the tangent plane defined by the facing surfaces of the base supporting arm and the supporting arm part.

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Conclusion


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Corder *et al.* (U.S. Patent No. 6,305,737), DeRees *et al.* (U.S. Patent No. 5,398,988), Pietryga *et al.* (U.S. Patent No. 6,196,618), Newkirk (U.S. Patent No. 5,074,611), Kinaga *et al.* (U.S. Patent No. 4,665,587), and Kozak *et al.* (U.S. Patent No. 6,386,621) substantially disclose the present invention as claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinesh N Melwani whose telephone number is 703-305-4546. The examiner can normally be reached on M-F, 8:30-6 except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4115.

DNM


ROBERT J. SANDY
PRIMARY EXAMINER

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